

FORM PTO-1390 (REV. 11-2000)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>09/914913</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/01850</b>	INTERNATIONAL FILING DATE <b>03/03/2000</b>	PRIORITY DATE CLAIMED <b>05/03/1999</b>
TITLE OF INVENTION <i>METHOD FOR IMPROVING THE AGRONOMIC AND NUTRITIONAL VALUE OF PLANTS</i>		
APPLICANT(S) FOR DO/EO/US <b>BEYER, PETER ; INGO POTRYKUS</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li><input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information:             <ul style="list-style-type: none"> <li>- A COPY OF NOTICE OF COMMUNICATION FORM PCT/IB/308</li> <li>- A COPY OF PUBLISHED INTERNATIONAL APPLICATION.</li> <li>- A COVER LETTER &amp; CERTIFICATE OF MAILING.</li> </ul> </li> </ol>		

U.S. APPLICATION NO. (or docket, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NO.

21.  The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO US.**

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 860

\$ 130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	30 - 20 =	10	x \$18.00	\$ 180
Independent claims	2 - 3 =		x \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$

**TOTAL OF ABOVE CALCULATIONS =**

\$

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

+

**SUBTOTAL =**

\$ 1170

Processing fee of \$130.00 for furnishing the English translation later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$ 1170

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 1170

Amount to be refunded:

charged:

- a.  A check in the amount of \$ 1170 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Gary Baker  
SIGNATURE  
GARY BAKER  
NAME  
41,595  
REGISTRATION NUMBER

09/914913

JCO Rec'd PCT/PTO 05 SEP 2001

Gary L. Baker, Esq.  
Patent Attorney & Attorney at Law  
1563 Boxwood Avenue  
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(510) 483-8220  
LawSci@aol.com  
PTO Registration 41,595

September 4, 2001

BOX PCT (National Stage)  
Commissioner of Patents and Trademarks  
Washington, D.C 20231

Re: 35 USC 371 National Stage Submission

Dear Commissioner,

I am a registered patent attorney designated to represent the inventors and applicant in this National Stage filing under 35 USC 371.

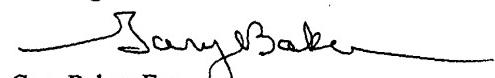
Inventors: Peter Beyer - German National  
Ingo Potrykus - German National  
Applicant: Greenovation Pflanzenbiotechnologie GMBH - Germany  
Title: Method for Improving the Agronomic and Nutritional Value of Plants  
Priority: March 5, 1999  
Application: International Application Number PCT/EP00/01850  
Filing Date: March 3, 2000

Included in this package are:

1. Cover Letter
2. A Transmittal Letter (Form PTO1390)
3. A Copy of Notice of IB Communication to Designated States (Form PCT/IB/308)
4. A Copy of the PCT International Preliminary Examination Report including Annexes in English.
5. A Copy of the PCT Published International Application in English.
6. A Preliminary Amendment to the Claims.
7. Filing Fees of \$1170:  
\$860 Basic National Fee,  
\$130 Surcharge for furnishing a Declaration after 30 months  
\$180 Fee for 30 Claims submitted in Preliminary Amendment.
8. Certification of Express Mailing #EJ830629896US

Copies of Declarations of the Inventors, Power of Attorney and Assignment will be forthcoming as available.

Best Regards,

  
Gary Baker, Esq.

BE AVAILABLE COPIES

**Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office To Addressee EJ830629896US in an envelope addressed to:

Commissioner of Patents and Trademarks  
Washington, D.C 20231, on

09/05/01

Jany Baker

**Gary L. Baker, Esq.**  
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December 15, 2001

BOX PCT (National Stage)  
Commissioner of Patents and Trademarks  
Washington, D.C 20231

Re: Missing 35 USC 371 Requirements - Declarations, PCT Application 09/914,913

Dear Commissioner,

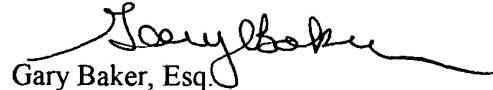
This is a response to a 371 Formalities Letter (confirmation number 5922) concerning missing declarations for PCT application number 09/914,913. This communication and enclosures respond to the requirements of that notification.

Inventors: Peter Beyer - German National  
Ingo Potrykus - German National  
Applicant: Greenovation Pflanzenbiotechnologie GMBH - Germany  
Title: Method for Improving the Agronomic and Nutritional Value of Plants  
Priority: March 5, 1999  
Application: International Application Number PCT/EP00/01850  
Filing Date: March 3, 2000  
US App No.: 09/914,913

Included in this package are:

1. Cover Letter
2. A Transmittal Letter (Form PTO1390)
3. A Copy of Notification of Missing Requirements Form.
4. A declaration of Peter Beyer as inventor of international application number PCT/EP00/01850 filed 03/03/2000, which has become US Application number 09/914,913 filed on 09/03/2001.
5. A declaration of Ingo Potrykus as inventor of international application number PCT/EP00/01850 filed on 03/03/2000, which has become US Application number 09/914,913 filed on 09/03/2001.
6. Assignments of the invention to Greenovation Pflanzenbiotechnologie GMBH - Germany, by each of the inventors. *+ \$80 fee*
7. Power of Attorney Authorizations from each inventor.
8. Certificate of Mailing ET010441461US.

Best Regards,

  
Gary Baker, Esq.

### **Certificate of Express Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office To Addressee ET010441461US in an envelope addressed to:

Commissioner of Patents and Trademarks  
Washington, D.C 20231, on Dec 17, 2001

Gary Bunker  
GARY BUNKER